

DETAILED ACTION

Claim Objections

1. Claim 1 is objected to because of the following informalities: line 3, after "displays", --,-- should be inserted. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Claims 1 and 3-5 recite the limitation "said on-screen indicia" in lines 6, 5, 5, and 5, respectively. There is insufficient antecedent basis for this limitation in the claims.
5. Claims 1, 2, and 5 recite the limitation "the current camera angle" in lines 7-8, 10, and 6, respectively. There is insufficient antecedent basis for this limitation in the claims.
6. Claims 1 and 3-6 recite the limitation "said camera angles" in lines 10, 8, 9, 9, and 7, respectively. There is insufficient antecedent basis for this limitation in the claims.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freeman et al (2002/0188943) in view of Rainville et al (2002/0069411).

Freeman et al, in Figures 1 and 2, discloses an interactive system for providing full interactivity with live programming events that is the same user interface for allowing a user to select from and view a plurality of video images each representing a unique camera angle captured by one or more cameras at an event at a given venue to provide camera angle displays 10 as specified in claims 1-6, the user interface comprising software for providing images to a viewing device (Fig. 1) and video image selection means 5 for providing a user with a means of selecting from a variety of the camera angles 100 for viewing the event ([0032-0050] and [0061]-[0088]).

It is noted Freeman et al differs from the present invention in that it fails to particularly disclose and on-screen viewing indicia to a viewing device to facilitate navigation between the camera angle displays as specified in claims 1-6. Rainville et al however, in Figure 3, teaches the concept of such well known on-screen indicia comprises a transparent bar 503, a display of navigation keys to provide the user with directional navigation instructions, and a textual description of the current camera angle being viewed (e.g. Fig. 3), all superimposed upon the viewing device 500.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, having both the references of Freeman et al and Rainville et al before him/her, to exploit the well known transparent display technique of Rainville et al in the viewing device of Freeman et al in order to avoid covering up any important part of the background image.

Double Patenting

9. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the “right to exclude” granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29

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USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

10. Claims 1-6 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 8 of U.S. Patent No. 6,889,384. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims in the application are broader than the ones in the patent. 214 U.S.P.Q. 761 *In re Van Ornum and Stanz*.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Y. Lee whose telephone number is (571) 272-7334.

The examiner can normally be reached on (571) 272-7334.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Young Lee/

Primary Examiner

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